

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR  
9004-2(c)**

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In Re:

GRIFFIN SIGN, INC.,

Debtor.

PKF-Mark, III, Inc.

Plaintiff,

v.

GRIFFIN SIGN, INC.,

Defendant.

Case No.: 15-29780-JNP

Chapter 11

Judge Hon. Jerrold N. Poslusny, Jr.

Adv. Pro. No.: 16-01632-JNP

Hearing Date: June 6, 2017 at 2:00 p.m.

**NOTICE OF MOTION TO STRIKE DEBTOR/DEFENDANT'S ANSWER AND  
COUNTERCLAIM FOR FAILURE TO COMPLY WITH THE COURT'S DISCOVERY  
ORDER**

TO: Peter Leyh, Esq.  
Braverman Kaskey, PC  
One Liberty Place, 56th Flr.  
Philadelphia, PA 19103

**PLEASE TAKE NOTICE** that, on Tuesday, the 6th day of June, 2017 at 2:00 p.m., in the forenoon, or as soon thereafter as counsel may be heard, the undersigned, attorney for Plaintiff, PKF-Mark, III, Inc. ("PKF"), shall apply to the above-named Court for an Order striking the Answer and Counterclaim of Defendant Griffin Signs and awarding Plaintiff PKF-

Mark III, Inc. its reasonable expenses including attorney fees and/or such other relief as the Court may deem proper, resulting from Griffin's repeated failure to comply with the Court's Discovery Orders.. A proposed form of Order is annexed hereto.

**PLEASE TAKE NOTICE** that in accordance with District of New Jersey Local Bankruptcy Rule D.N.J. LBR 9013-2 (a)(2), opposition to the relief requested and/or cross-motions shall be filed with the Clerk of the Bankruptcy Court and served upon the undersigned and all parties in interest not later than seven (7) days before the hearing date of the Motion.

**PLEASE TAKE NOTICE** that in accordance with District of New Jersey Local Bankruptcy Rule D.N.J. LBR 9013-3(a), in the event the Motion is contested, there is a duty to confer before the hearing to determine whether the issue can be resolved.

**PLEASE TAKE NOTICE** that in accordance with District of New Jersey Local Bankruptcy Rule D.N.J. LBR 9013-3(e), unless the Court authorizes otherwise prior to the return date hereof, no oral testimony shall be taken at the hearing except by certification or affidavit.

**PLEASE TAKE NOTICE** that in accordance with District of New Jersey Local Bankruptcy Rule D.N.J. LBR 9013-3(d), Movant requests oral argument on the return date of the Motion if the motion is opposed.

**PLEASE TAKE NOTICE** that Movant will rely upon the facts set forth in the accompanying Certification. Movant submits that no brief is necessary since this Motion does not present any complicated questions of fact or novel issues of law.

Dated: May 10, 2017

/s/ Reginald Jenkins Jr.  
Reginald Jenkins, Jr., Esq.  
Florio Perrucci Steinhardt & Fader, LLC  
*Attorneys for Plaintiff, PKF-Mark III, Inc.*